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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/183,380	10/30/1998	EVERT M. BOSMA	PHN-16-611	3061

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EXAMINER

TRAN, CON P

ART UNIT

PAPER NUMBER

2644

DATE MAILED: 09/05/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/183,380

Applicant(s)BOSMA ET AL. *M***Examiner**

Con P. Tran

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 June 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☒ The proposed drawing correction filed on 13 June 2002 is: a) ☒ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. **Claims 1-7 and 10** are rejected under 35 U.S.C. 103(a) as being unpatentable over Hoopes U.S. Patent 6,058,171 in view of Battista et al. U.S. Patent 5,519,774 (cited by applicant).

Regarding **claim 1**, Hoopes teaches (see Fig. 1, 6, 7 and respective portions of the specification) a wire-bound telecommunication device comprising terminals for coupling the device to a subscriber line (115, 120) of a telecommunication network, a transmission circuit (210), and a signal detecting arrangement, characterized in that the signal detecting arrangement (100) comprises means for determining a time-domain signal representing the signal of a signal on the subscriber line in a time interval (see col. 2, lines 55-65 and col. 6, lines 15-29).

However, Battista et al. does not explicitly disclose:

a signal detecting arrangement is an energy signal detecting arrangement;

a time interval is a predetermined time interval.

In the same field of endeavor, Battista et al. teaches (see Fig. 3, 5, and respective portions of the specification) a detector (30) comprises:

an energy signal detecting arrangement (simple integrator 68; see col. 11, lines 1-7 and lines 49-52); and

an energy signal in a predetermined time interval (see col. 13, lines 54-57)

so that the detector not only provides improved control over talkoff and talkdown performance but provides better overall performance (see col. 6, lines 54-56).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included within the Hoopes reference a detector having:

an energy signal detecting arrangement and an energy signal in a predetermined time interval as taught by Battista et al. since such combination would have provided the detector not only provides improved control over talkoff and talkdown performance but provides better overall performance as suggested by Battista et al. in column 6, lines 54-56.

Regarding **claim 2**, Hoopes further teaches (see Fig. 1 and respective portions of the specification) the signal energy is determined cyclically (see col. 2, lines 55-65).

Regarding **claim 3**, Hoopes further teaches (see Fig. 2 and respective portions of the specification) the signal energy determination is initiated by a trigger pulse (see col. 2, line 66 – col. 3, line 10).

Regarding **claim 4**, Hoopes further teaches (see Fig. 3, 4, 5 and respective portions of the specification) the telecommunication device operates according to a given signal protocol, the signal energy being determined during at least one predetermined expected signal interval (see col. 3, lines 25-46).

Regarding **claim 5**, Hoopes further teaches (see Fig. 1, 2 and respective portions of the specification) the signal protocol is a caller identification signal protocol and the expected signal interval comprises a tone alerting signal (see col. 2, lines 55-65).

Regarding **claim 6**, Hoopes further teaches (see Fig. 1, 2 and respective portions of the specification) the signal energy determination is continued until a further expected signal interval comprising a caller identification signal (see col. 2, lines 55-65).

Regarding **claim 7**, Hoopes further teaches (see Fig. 1, 2 and respective portions of the specification) a caller identification signal detector is initiated by an initiating pulse, which is generated a predetermined time after the detection of the tone alerting (see col. 2, line 55 – col. 3, line 10).

Regarding **claim 10**, , Hoopes teaches (see Fig. 1, 6, 7 and respective portions of the specification) circuit for use in a wire-bound telecommunication device comprising terminals for coupling the device to a subscriber line (115, 120) of a telecommunication

network, a transmission circuit (210), and a signal detecting arrangement, characterized in that the signal detecting arrangement (100) comprises means for determining a time-domain signal representing the signal of a signal on the subscriber line in a time interval (see col. 2, lines 55-65 and col. 6, lines 15-29).

However, Hoopes does not explicitly disclose:

a signal detecting arrangement is an energy signal detecting arrangement;

a time interval is a predetermined time interval.

In the same field of endeavor, Battista et al. teaches (see Fig. 3, 5, and respective portions of the specification) a detector (30) comprises:

an energy signal detecting arrangement (simple integrator 68; see col. 11, lines 1-7 and lines 49-52); and

an energy signal in a predetermined time interval (see col. 13, lines 54-57)

so that the detector not only provides improved control over talkoff and talkdown performance but provides better overall performance (see col. 6, lines 54-56).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included within the Hoopes reference a detector having:

an energy signal detecting arrangement and an energy signal in a predetermined time interval as taught by Battista et al. since such combination would have provided the detector not only provides improved control over talkoff and talkdown performance but provides better overall performance as suggested by Battista et al. in column 6, lines 54-56.

3. **Claims 8 and 9** are rejected under 35 U.S.C. 103(a) as being unpatentable over Hoopes U.S. Patent 6,058,171 in view of Battista et al. U.S. Patent 5,519,774 (cited by applicant), and further in view of Rosen et al. U.S. Patent 5,864,607.

Regarding **claim 8**, Hoopes in view of Battista et al. teaches a wire-bound telecommunication device as recited in claim 7, However, Hoopes and Battista et al. in combination does not explicitly disclose the initiation pulse controls switching of an impedance parallel to the subscriber line.

In the same field of endeavor, Rosen et al. teach (see Fig. 5, 6A, 6B and respective portions of the specification) an initiation pulse controls switching of an impedance parallel to the subscriber line (see col. 9, lines 25-55) so that the telephone line resources-including power, dual-tone multi-frequency (DTMF) or pulse dialing indicators, and call progress tone generators- are then dedicated to the now off-hook telephone (see col. 1, lines 19-23).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included within the Hoopes and Battista et al. in combination an initiation pulse that controls switching of an impedance parallel to the subscriber line (see col. 9, lines 25-55) as taught by Rosen et al. since such combination would have provided the telephone line resources-including power, dual-tone multi-frequency (DTMF) or pulse dialing indicators, and call progress tone generators- are then dedicated to the now off-hook telephone as suggested by Rosen et al. in column 1, lines 19-23.

Regarding **claim 9**, Rosen et al. further teach (see Fig. 5, 6A, 6B and respective portions of the specification) the energy determination is used for monitoring subscriber line load variations (see col. 9, lines 25-55).

Response to Arguments

4. With respect to objection to the specifications, the suggested layout has been used. Accordingly, the objection is removed.
5. With respect to objection to the drawings, blocks "6" and "10" have been labeled. Accordingly, the objection is removed.
6. With respect to objection to the claim, the spelling error has been corrected. Accordingly, the objection is removed.
7. Applicant's arguments with respect to claims 1-10 have been considered but are moot in view of the new grounds of rejection.

Conclusion

8. The following are suggested formats for either a Certificate of Mailing or Certificate of Transmission under 37 CFR 1.8(a). The certification may be included with all correspondence concerning this application or proceeding to establish a date of mailing or transmission under 37 CFR 1.8(a). Proper use of this procedure will result in such communication being considered as timely if the established date is within the required period for reply. The Certificate should be signed by the individual actually

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Washington, D.C. 20231

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Please refer to 37 CFR 1.6(d) and 1.8(a)(2) for filing limitations concerning facsimile transmissions and mailing, respectively.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Con P. Tran, whose telephone number is (703) 305-2341. The examiner can normally be reached on M - F (8:30 AM - 5:00 PM).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Forester W. Isen can be reached on (703) 305-4386. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Customer Service Office at telephone number (703) 306-0377.

cpt CPT
August 22, 2002


FORESTER W. ISEN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100